

ORDINANCE NO. 080167  
0-08-58

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4           **An ordinance of the City of Gainesville, Florida, amending the**  
5           **Zoning Map Atlas and rezoning certain property, as more**  
6           **specifically described in this Ordinance, from the zoning**  
7           **category of “I-1: Limited industrial district” to the zoning**  
8           **category of “PS: Public services and operations district” to**  
9           **permit the Gainesville Regional Utilities Operations Center;**  
10           **allowing the uses permitted by right as more specifically**  
11           **described in this Ordinance, with the approval of a**  
12           **preliminary development plan; providing conditions; located**  
13           **in the vicinity of the 4500 Block of North Main Street;**  
14           **providing a severability clause; providing a repealing clause;**  
15           **and providing an immediate effective date as set forth in this**  
16           **ordinance.**

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19           **WHEREAS**, publication of notice of a public hearing was given that the Zoning Map  
20 Atlas be amended by rezoning certain property annexed into the City be rezoned from the zoning  
21 category of “I-1: Limited industrial district” to the zoning category of “PS: Public services and  
22 operations district”; and

23           **WHEREAS**, notice was given and publication made as required by law and a public  
24 hearing was held by the City Plan Board on June 19, 2008; and

25           **WHEREAS**, the City Commission finds that the rezoning of the property described  
26 herein will be consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

27           **WHEREAS**, pursuant to law, an advertisement no less than two columns wide by 10  
28 inches long was placed in a newspaper of general circulation and of the public hearing to be held in  
29 the City Commission Meeting Room, First Floor, City Hall, in the City of Gainesville at least seven  
30 (7) days after the day the first advertisement was published; and

1           **WHEREAS**, a second advertisement no less than two columns wide by 10 inches long was  
2 placed in the aforesaid newspaper notifying the public of the second public hearing to be held at the  
3 adoption stage at least five (5) days after the day the second advertisement was published; and

4           **WHEREAS**, Public Hearings were held pursuant to the published and mailed notices  
5 described above at which hearings the parties in interest and all others had an opportunity to be and  
6 were, in fact, heard.

7           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
8 **CITY OF GAINESVILLE, FLORIDA:**

9           **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
10 following described property from the zoning category of "I-1: Limited industrial district" to the  
11 zoning category of "PS: Public services and operations district":

12           See Legal Description attached hereto as Exhibit "A", and made a part  
13 hereof as if set forth in full.

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15           **Section 2.** The preliminary development plan attached to this Ordinance as Exhibit "B"  
16 and made a part hereof as if set forth in full, is approved in accordance with Sec. 30-75 of the  
17 Land Development Code.

18           **Section 3.** The uses permitted by right on the property described in Section 1 of this  
19 Ordinance are as follows: IN 919 "General Government, Not Elsewhere Classified;" Major  
20 Group 48 "Communications;" Major Goup 49 "Electric, Gas, and Sanitary Services;" IN 4225  
21 "General Warehousing and Storage;" Major Group 75 "Automotive Repair, Services, and  
22 Parking," excluding GN-751 "Automotive Rental and Leasing;" Major Group 76 "Miscellaneous  
23 Repair Services;" GN 554 "Gasoline and Alternative Fuel Service Stations" with accessory

1 gasoline and alternative fuel pumps, in accordance with Article VI; IN 7374 "Computer  
2 Processing and Data Preparation and Processing Services;" IN 7991 "Physical Fitness Facilities;"  
3 Outdoor storage, as defined in Article II and in accordance with Article VI; and any accessory  
4 uses customarily and clearly incidental to any permitted principal use.

5 **Section 4.** The following conditions shall apply to this ordinance:

6 Condition 1. Preliminary and final development plan review is required.  
7 Development of the site shall be consistent with the standards and with the site layout on  
8 the preliminary development plan.

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10 Condition 2. A 70'-wide buffer composed of existing natural vegetation and  
11 landscaping shall be required along North Main Street, except at the two access points to  
12 North Main Street as shown on the preliminary development plan. The existing  
13 vegetation shall be supplemented with shade trees as required for Buffer Type E in the  
14 Land Development Code. The type and location of trees within this street buffer shall be  
15 determined by the City Arborist during development plan review. A 50'-wide buffer,  
16 composed of existing natural vegetation, shall be required around the remaining  
17 perimeter of the site.

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19 Condition 3. The location of development on the site shall be as depicted on the  
20 preliminary development plan. Only the wetlands and natural areas that are shown on the  
21 preliminary development plan may be impacted, and all other wetlands on the site shall  
22 be preserved and protected consistent with the City's Land Development Code. A 50'-  
23 wide buffer of existing native vegetation shall remain around all preserved wetlands. As  
24 shown on the preliminary development plan, a pervious pedestrian trail and emergency  
25 vehicle access of 50' maximum cleared width may be permitted between wetland 'L' and  
26 wetland 'R10'. The construction of this access shall be in a manner that minimizes the  
27 impact upon the adjacent wetland areas and their buffers.

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29 Condition 4. The setback for the creek along the northern property line shall be  
30 determined by the appropriate reviewing board at development plan review approval, and  
31 shall be a minimum of 35' in width.

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33 Condition 5. During development plan review, the exact location of buildings and  
34 other developed areas shall be adjusted by the appropriate reviewing board in order to  
35 best preserve heritage trees, wetlands and any listed species on the site.  
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1 Condition 6. Any buildings that are visible from North Main Street or that will be  
2 accessed directly by the public shall meet the requirements of the Special Area Plan for  
3 Central Corridors of the Land Development Code for building orientation, glazing and  
4 articulation.

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6 **Section 5.** The City Manager is authorized and directed to make the necessary changes in  
7 the Zoning Map to comply with this Ordinance.

8 **Section 6.** If any word, phrase, clause, paragraph, section or provision of this ordinance  
9 or the application hereof to any person or circumstance is held invalid or unconstitutional, such  
10 finding shall not affect the other provisions or applications of the ordinance which can be given  
11 effect without the invalid or unconstitutional provisions or application, and to this end the  
12 provisions of this ordinance are declared severable.

13 **Section 7.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of  
14 such conflict hereby repealed.

15 **Section 8.** This ordinance shall become effective immediately upon final adoption.

16 **PASSED AND ADOPTED** this 6<sup>th</sup> day of November, 2008.

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21 ATTEST:

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24 KURT LANNON,  
25 CLERK OF THE COMMISSION

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27 \_\_\_\_\_  
28 PEGEEN HANRAHAN, MAYOR

29 Approved as to form and legality:

30 By:   
31 \_\_\_\_\_  
32 MARION J. RADSON, CITY ATTORNEY

NOV - 6 2008

33 This ordinance passed on first reading this 16<sup>th</sup> day of October, 2008.

34 This ordinance passed on second reading this 6<sup>th</sup> day of November, 2008.



# ENG, DENMAN & ASSOCIATES, INC.

ENGINEERS • SURVEYORS • PLANNERS

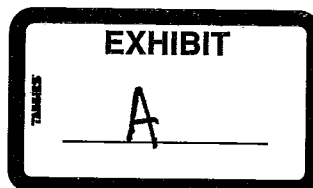
April 8, 2008

## Legal Description

For: Gainesville Regional Utilities  
North Main Street Service Center

A portion of Section 21, Township 9 South, Range 20 East, City of Gainesville, Alachua County, Florida; being more particularly described as follows:

Commence at the northeast corner of Section 21, Township 9 South, Range 20 East, Alachua County, Florida, and run thence South 89°43'06" West, along the north line of said Section and along the southerly right-of-way line of N.E. 53<sup>rd</sup> Avenue, a distance of 3,557.74 feet to a point on the easterly right-of-way line of North Main Street, said point being the beginning of a curve, concave southeasterly, having a radius of 25.00 feet; thence southwesterly, along said easterly right-of-way line and along the arc of said curve, through a central angle of 90°47'23", an arc distance of 39.61 feet to the end of said curve, said arc being subtended by a chord, having a bearing and distance of South 44°19'24" West, 35.60 feet; thence South 01°04'17" East, along said easterly right-of-way line, 776.26 feet to a point on the south line of Ditch "C", a 40 foot wide drainage easement as recorded in Official Records Book 1348, page 778 of the Public Records of Alachua County, Florida, and to the Point of Beginning; thence continue South 01°04'17" East, along said easterly right-of-way line, 340.22 feet to the beginning of a curve, concave westerly, having a radius of 3869.72 feet; thence southerly, along said easterly right-of-way line, and along the arc of said curve, through a central angle of 18°00'00", an arc distance of 1215.71 feet to the end of said curve, said arc being subtended by a chord, having a bearing and distance of South 07°55'43" West, 1210.72 feet; thence South 16°55'43" West, along said easterly right-of-way line, 778.75 feet; thence South 73°04'17" East, 390.00 feet; thence South 50°41'26" East, 165.23 feet to a rebar and cap stamped "PLS 3973", on the northwesterly line of a Conservation Easement as described in Exhibit "B", recorded in Official Records Book 1773, page 1561 et seq. of said Public Records; thence North 57°45'03" East, along said northwesterly line, 118.44 feet to a rebar and cap stamped "PLS 3973"; thence South 85°37'51" East, along the northerly line of said Conversation Easement, 69.31 feet to a rebar and cap stamped "LB 2389"; thence South 18°38'17" East, along the easterly line of said Conservation Easement, 225.24 feet to a rebar and cap stamped "LB 2389"; thence North 68°59'31" East, 382.28 feet to a rebar and cap stamped "PLS 3973" on the northerly line of a Conservation Easement as described in Exhibit "A", recorded in Official Records Book 1773, page 1561 et seq. of said Public Records; thence easterly,



along the northerly line of said Conservation Easement described in said Exhibit "A", through the following 14 courses, each said course beginning and ending at a rebar and cap stamped "PLS 3973":

- 1) North 50°00'30" East, 121.17 feet;
- 2) North 63°35'42" East, 348.23 feet;
- 3) South 86°14'22" East, 148.23 feet;
- 4) South 52°13'49" East, 85.25 feet;
- 5) South 39°56'39" East, 170.10 feet;
- 6) South 54°27'11" East, 137.90 feet;
- 7) North 88°26'02" East, 131.13 feet;
- 8) North 70°34'48" East, 134.81 feet;
- 9) South 80°42'24" East, 114.78 feet;
- 10) North 78°05'44" East, 208.75 feet;
- 11) North 69°32'49" East, 132.48 feet;
- 12) South 68°57'23" East, 78.60 feet;
- 13) North 79°23'21" East, 59.70 feet;
- 14) South 43°07'28" East, 53.74 feet;

thence North 46°05'06" East, 255.83 feet to a rebar and cap stamped "LB 2389" on the westerly line of Conservation Easement A, B, C, D and E, described in Exhibit "A", recorded in Official Records Book 2399, page 1029 of said Public Records; thence northerly, westerly, northwesterly, and northeasterly along said westerly line of Conservation Easement A, B, C, D, and E, through the following 7 courses:

- 1) North 14°57'30" West, 565.59 feet to a rebar and cap stamped "LB 2389";
- 2) South 78°30'17" West, 574.66 feet to a rebar and cap stamped "LB 2389";
- 3) North 50°25'18" West, 353.70 feet to a rebar and cap stamped "LB 2389";
- 4) North 03°44'36" East, 409.45 feet to a rebar and cap stamped "LB 2389";
- 5) North 32°33'24" East, 670.79 feet to a rebar and cap stamped "LB 2389";
- 6) North 53°25'32" West, 911.06 feet to a rebar and cap stamped "LB 2389";
- 7) North 17°45'14" East, 357.93 feet to a rebar and cap stamped "LB 2389", lying on said south line of Ditch "C"; thence South 80°49'41" West, along said south line of Ditch "C", a distance of 102.88 feet; thence South 82°54'30" West, along said south line of Ditch "C", a distance of 1176.24 feet; thence South 74 °48'29" West, along said south line of Ditch "C", a distance of 125.08 feet to the Point of Beginning.

Containing 117.68 acres, more or less.